

EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TWYLA SANDOLPH,

Plaintiff

v.

**MARTIN MARIETTA
MATERIALS INC.,**

Defendant

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CA-6:19-cv-00516-ADA-JCM (Jury)

DECLARATION OF KELLI HINSON

My name is Kelli Hinson. I am over the age of 21 years. I am of sound mind; have never been convicted of a crime; and am otherwise competent to make this declaration. I have personal knowledge of the facts stated herein, and they are true and correct.

1. I am a partner and General Counsel of Carrington Coleman Sloman & Blumenthal, LLP (CCSB), which is counsel of record for the Defendant Martin Marietta Materials, Inc. in this matter.

2. I have been licensed in Texas and have worked at CCSB as an attorney for more than 28 years. I have been a partner at CCSB for over 19 years. Through my position and by virtue of my 28-plus years of practice in Dallas and surrounding counties in the areas of employment litigation, business litigation, professional liability, and appellate work, I am familiar with the reasonable rates charged in this region by similarly-situated attorneys in matters such as this one.

3. A large part of my practice involves representing lawyers and law firms in defending against allegations of wrongful conduct, including responding to motions for

sanctions. Because of that experience, I was asked to take the lead in responding to Plaintiff's Motion for Sanctions in this case.

4. I am personally familiar with the work performed in responding to Plaintiff's Motion because I have been personally involved as the person primarily responsible for responding to Plaintiff's Motion and I have reviewed the firm's billing records related to such response.

5. As detailed more below, Martin Marietta incurred \$18,052.65 in legal fees through September 18, 2023 in connection with responding to Plaintiff's Motion. The amount of fees was determined by multiplying the hours worked by each attorney by that person's hourly rate, reduced by Martin Marietta's discount, all as set forth below.

6. The hourly rates charged in responding to Plaintiff's Motion are reasonable and at or below prevailing market rates in Texas for the type of services provided. I was the primary attorney working on this Response. My hourly rate for this work is \$740 (although my work in August was mistakenly billed at \$600 per hour), which is at or below the prevailing market rate for attorneys with my education and experience in this area. I graduated magna cum laude from SMU Dedman School of Law in 1995 and have been consistently recognized by my peers with honors such as D Magazine Best Lawyers in Dallas, Texas Super Lawyers, America's Top 100 High Stakes Litigators for North Texas, and Best Lawyers in America. Mike Birrer also worked on this Response as the lead attorney for the matter and the attorney against whom sanctions are sought. His hourly rate for this matter is \$700, which is at or below the prevailing market rate for attorneys with his education and experience in this area. Mike has been an attorney at CCSB for over 30 years and has a practice focused on employment litigation. He is the head of the firm's employment law practice. He graduated Order of the Coif from

Vanderbilt University School of Law in 1992 and has been consistently recognized by his peers with honors such as Best Lawyers in America, D Magazine Best Lawyers in Dallas, Fortune Magazine Top-Rated Lawyer, and a Texas Super Lawyer. Tayler Gray is an associate with the firm who works primarily in the employment and litigation groups. She graduated from Texas A&M University School of Law in 2022 and was selected for the Dallas Association of Young Lawyers Leadership Class 2023. Her hourly rate for this matter is \$375. In addition, Martin Marietta receives a 10% discount on the above-described rates.

7. In summary, Mr. Birrer, Ms. Gray, and I performed the following tasks in responding to Plaintiff's Motion for Sanctions:

8/7/23	.5	Review Sandolph's draft motion; confer with M. Birrer and research issues regarding motion	Gray
8/8/23	1.7	Review proposed motion for sanctions	Birrer
8/10/23	1.7	Research regarding motion for sanctions	Gray
8/11/23	2.8	Draft/send letter response to plaintiff's counsel re: proposed Rule 11 sanctions motion	Birrer
8/11/23	1.5	Analysis and planning re: plaintiff's threatened motion for sanctions/ review prior pleadings; confer with M. Birrer re: same and re: strategy for response	Hinson
8/11/23	1.1	Continued research re: plaintiff's threatened sanctions motion	Gray
8/12/23	1.2	Draft email re: results of research	Gray
8/14/23	.4	Confer with M. Birrer and K. Hinson re: research	Gray
9/5/23	1.1	Review as-filed motion for sanctions; update to client re: same	Birrer
9/5/23	.2	Review Plaintiff's motion for sanctions	Gray
9/6/23	.3	Call with M. Birrer to strategize re: responding to sanctions motion	Hinson
9/11/23	3.2	Review motion for sanctions; analysis and planning re: response	Hinson
9/12/23	4.3	Continue working on response to sanctions motion; research re: same	Hinson
9/13/23	6.0	Continue working on response to motion for sanctions; draft attorneys' fee declaration	Hinson

9/14/23	1.7	Review and revise draft response to plaintiff's motion for sanctions; internal communication re: draft response	Birrer
9/14/23	1.1	Review and incorporate M. Birrer's comments; review and revise response and attorney's fee declaration	Hinson
9/18/23	1.5	Finalize response to Sandolph sanctions motion and attorney's fee affidavit	Hinson

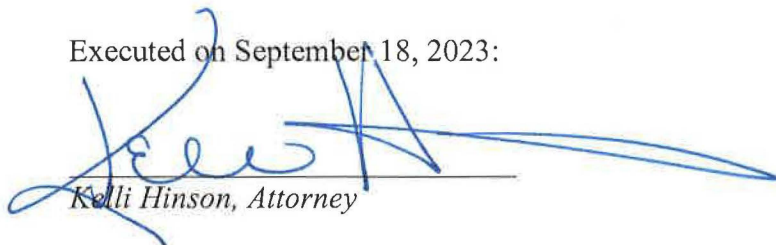
8. The number of hours spent was reasonable considering the allegations made in the Motion for Sanctions, the seriousness of the relief requested (including reversal of an important ruling by the Court), and the prior pleadings that had to be reviewed in order to adequately respond to Plaintiff's allegations.

9. In my opinion, additional work will be required in order to fully respond to Plaintiff's motion. I would estimate that Mr. Birrer and I will spend 2 hours and 3 hours, respectively, reviewing and analyzing Plaintiff's reply brief. At our hourly rates detailed above, Martin Marietta will likely incur another \$3,258 in responding to Plaintiff's Motion.

10. In my opinion, the fees Martin Marietta has incurred and likely will incur were reasonable, necessary, and warranted in order to properly respond to Plaintiff's Motion for Sanctions considering the nature of the claims, the complexity of the issues, and the relief sought.

Pursuant to 28 USC Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 18, 2023:



Kelli Hinson, Attorney